

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THOMAS W. TREFNY,
Plaintiff

v.

HYANNIS HARBOR TOURS, INC.,
Defendant

CIVIL ACTION No. 04-10798-NG

JOINT MOTION TO POSTPONE STATUS CONFERENCE

Now come the parties, by their counsel, and ask that the status conference in this matter be postponed. This conference is currently scheduled to take place on December 15, 2004.

Until now, the plaintiff has been absent from the country due to service with the armed forces of the United States, and therefore has been unavailable to participate in discovery. He is scheduled to be released from active duty on December 15, 2004, the day currently scheduled for the hearing. As a result, the parties would be unable to provide a meaningful update to the Court on the scheduled date. The parties respectfully submit that a postponement of about 30 days would permit a more useful status report to the Court, provide an opportunity for substantive settlement negotiations to bear fruit, in light of the plaintiff's deposition, and permit defendant's counsel to avoid a scheduling difficulty with a speaking engagement.

WHEREFORE the parties respectfully ask that the status conference be postponed by approximately 30 days.

THOMAS W. TREFNY
By his attorneys,

/s/ David Anderson
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HYANNIS HARBOR TOURS, INC.
By its attorneys,

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